

REMARKS

Applicants thank the Examiner for taking the time to conduct an interview on April 6, 2010. Claims 1-17 are rejected and remain pending. Claims 1-17 are rejected over 35 USC 103 over Sicola (2004/0064639) in view of Endo (6,073,126), if further view of Dervin (2002/0133727). For clarity, Applicants have amended Claims 1, 6, 10, and 14 and respectfully request that these amendments be entered. Based on the aforementioned amendments, the agreement believed reached in the interview, and the remarks presented herein, Applicants respectfully request reconsideration, removal of the rejections, and that the claims be placed in condition for allowance.

The Office Action asserted that Dervin, but none of the other references, discloses “the software agent designated executes scripts residing on the host with a failed primary software agent to control host applications.” Applicants assert that Claims 1, 6, 10, and 14, as amended, are allowable over the art of record. During the interview, it was stated that the Dervin reference reboots a node through a script, but does not disclose “executes scripts residing on the host with a failed primary software agent to control host applications to put the replication data in condition for the software agent to push and pull replication data during the replication.”

Applicants therefore respectfully request the 35 USC rejections of Claims 1, 6, 10, and 14 be withdrawn and Claims 1, 6, 10, and 14 be placed in condition for allowance. As Claims 2-5, 7-13 and 15-17 depend on the believed allowable Claims 1, 6, 10, and 14, Claims 2-5, 7-13 and 15-17 should be allowable for at least the same reasons. Therefore, Applicants also respectfully request that the rejection of Claims 2-5, 7-13 and 15-17 be withdrawn and these claims also be placed in condition for allowance.

Applicant: Yao Wang, *et al.*
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Conclusion

In view of the foregoing, Applicants believe that the application is in condition for allowance and respectfully request favorable reconsideration.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at (508) 293-7450.

Please charge all fees occasioned by this submission to Deposit Account No. 05-0889.

Respectfully submitted,

Dated: April 6, 2010

/Joseph D'Angelo/
Joseph D'Angelo (Reg. No. 56,800)
Attorney for Applicants
EMC Corporation
Office of General Counsel
176 South Street
Hopkinton, MA 01748
Telephone: (508) 293-7450
Facsimile: (508) 293-7189